

EXHIBIT 5

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

MATTHEW AND JONNA AUDINO, and
DANIEL OGLES JR., individually and on
Behalf of all others similarly situated,

Plaintiffs,

v.

Case No. 4:16-cv-00631-SMR-HCA

JPMORGAN CHASE BANK, N.A.

Defendant.

**DECLARATION OF WARD A. ROUSE IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL**

I, Ward A. Rouse, declare:

1. I have been a practicing attorney in the state of Iowa since 1990. I was admitted to practice in this judicial district in 1991 and have since been admitted in the Northern District of Iowa, the Eighth Circuit Court of Appeals, and the United States Supreme Court. I have held an AV Preeminent Peer Review Rating with Martindale-Hubbell for many years.

2. Together with experienced class action attorneys Rick Paul and Ashlea Schwarz of Paul LLP of Kansas City, Missouri, I filed the present class action on behalf of Matthew and Jonna Audino. There has been extensive discovery practice in this case, followed by a complex multi-party mediation conducted by the Hon. Morton Denlow in Chicago, Illinois. The mediation included not only myself and the other plaintiffs' attorneys in the *Audino* action, but also included Eric Gibbs and Michael Schrag of the Gibbs Law Group LLP of Oakland, California who represent Daniel Ogles, Jr. in *Ogles Jr. v. JP Morgan Chase Bank, N.A.*, which is a similar class action pending in the Northern District of California. Ultimately, despite the mediation being unsuccessful at its formal conclusion, all parties involved have now reached a joint agreement to propose a settlement to this Court. To effectuate this proposed settlement, there has been filed an unresisted Amended Complaint which will combine Matt and Jonna Audino with Daniel

Ogles, Jr. as joint representatives, and the proposed settlement, if approved, will resolve both cases.

3. While I have considerable experience litigating a wide variety of cases in many courts at many levels, my knowledge of nationwide class action practice is not comparable to that of the other plaintiffs' attorneys. Nevertheless, I worked diligently both pre-suit and thereafter to understand the complex issues involved and to contribute to the case, and I have been actively involved at every stage to date. Despite my relative inexperience in nationwide class action practice, I am sufficiently informed and knowledgeable to recommend the proposed settlement for approval.



Ward A. Rouse, AT0006841